

To: Allnutt, David[Allnutt.David@epa.gov]; Anderson, Kate[Anderson.Kate@epa.gov]; Anderson, Steve[Anderson.Steve@epa.gov]; Bahk, Benjamin[Bahk.Benjamin@epa.gov]; Berckes, Nicole[Berckes.Nicole@epa.gov]; Bernota, Carolyn[Bernota.Carolyn@epa.gov]; Bruce, Susan[Bruce.Susan@epa.gov]; Bufill, Lourdes[Bufill.Lourdes@epa.gov]; Cherry, Andrew[Cherry.Andrew@epa.gov]; Connolly, Chris[Connolly.Chris@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Cross, Verna[Cross.Verna@epa.gov]; King, Carol[King.Carol@epa.gov]; Denton, Loren[Denton.Loren@epa.gov]; Dierker, Carl[Dierker.Carl@epa.gov]; Dolph, Becky[Dolph.Becky@epa.gov]; Drelich, David[Drelich.David@epa.gov]; Eichenwald, Carl[Eichenwald.Carl@epa.gov]; Faeth, Lisa[Faeth.Lisa@epa.gov]; Frey, Bert[fre.bertram@epa.gov]; Garvey, Mark[Garvey.Mark@epa.gov]; Greenwald, Kathryn[Greenwald.Kathryn@epa.gov]; Harrison, Ben[Harrison.Ben@epa.gov]; Hartman, Deborah[Hartman.Deborah@epa.gov]; Herrema, Jeffrey[Herrema.Jeffrey@epa.gov]; Hill, Elizabeth[Hill.Elizabeth@epa.gov]; Isales, Lydia[Isales.Lydia@epa.gov]; Joffe, Brian[Joffe.Brian@epa.gov]; Kairis, Mindy[Kairis.Mindy@epa.gov]; Kaplan, Robert[kaplan.robert@epa.gov]; Kausch, Jeannine[Kausch.Jeannine@epa.gov]; Kelley, Rosemarie[Kelley.Rosemarie@epa.gov]; Lott, Don[Lott.Don@epa.gov]; Mackey, Cyndy[Mackey.Cyndy@epa.gov]; Mallory, Brenda[Mallory.Brenda@epa.gov]; Matthews, Keith[Matthews.Keith@epa.gov]; Mclean, Kevin[Mclean.Kevin@epa.gov]; Meeks, Marguerite[Meeks.Marguerite@epa.gov]; Milan, Sherry[Milan.Sherry@epa.gov]; Morgan, Jeanette[Morgan.Jeanette@epa.gov]; Morrissey, Alan[Morrissey.Alan@epa.gov]; Mosley, Brenda[Mosley.Brenda@epa.gov]; Moyer, Robert[Moyer.Robert@epa.gov]; Mulkey, Marcia[Mulkey.Marcia@epa.gov]; Murray, Suzanne[Murray.Suzanne@epa.gov]; Nanda, Sushila[Nanda.Sushila@epa.gov]; Nguyen, Quoc[Nguyen.Quoc@epa.gov]; Phillips, Ginny[Phillips.Ginny@epa.gov]; Pollins, Mark[Pollins.Mark@epa.gov]; Porter, Amy[Porter.Amy@epa.gov]; Rog, Morgan[Rog.Morgan@epa.gov]; Rose, Cheryl[Rose.Cheryl@epa.gov]; Schaaf, Eric[Schaaf.Eric@epa.gov]; Seltzer, Mark[Seltzer.Mark@epa.gov]; Shah, Aakruti[Shah.Aakruti@epa.gov]; Silver, Meg[Silver.Meg@epa.gov]; Stern, Allyn[Stern.Alyn@epa.gov]; Sullivan, Greg[Sullivan.Greg@epa.gov]; Swan, Russell[Swan.Russell@epa.gov]; Tierney, Cate[Tierney.Cate@epa.gov]; Walker, Mike[Walker.Mike@epa.gov]; Ward, W. Robert[Ward.Robert@epa.gov]; Wilson, Kim[Wilson.Kim@epa.gov]; OGC PTSLO[OGC_PTSLO@epa.gov]; Abramson, Jennifer[Abramson.Jennifer@epa.gov]; Kaul, Monisha[Kaul.Monisha@epa.gov]; Schramm, Daniel[Schramm.Daniel@epa.gov]
From: Turley, Jennifer
Sent: Tue 2/25/2014 3:23:11 PM
Subject: Pesticides & Toxic Substances Law News for February 25, 2014



<http://theorganicsinstitute.com/wp-content/uploads/2012/04/Tractor-spraying-pesticide-128Kb.jpg>**Pesticides & Toxic Substances Law News**

for February 25, 2014

Daily Environment Report™

www.bna.com

[logo](#)

Biotechnology

Comment Period on Dow Corn, Soybeans Extended

The Animal and Plant Health Inspection Service will accept comments on a draft regulatory document recommending the deregulation of herbicide-resistant corn and soybean lines developed by Dow AgroSciences LLC until March 11, according...

Pesticides

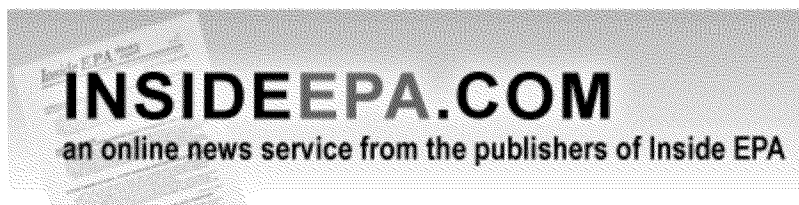
NRDC Requests EPA Review Glyphosate, Address Effects on Monarch Butterflies

The Natural Resources Defense Council petitioned the Environmental Protection Agency Feb. 24 to conduct an immediate review of the widely used herbicide glyphosate and take action to mitigate any unreasonable adverse effects on the North...

Toxic Substances

EPA to Post Agenda for Formaldehyde Workshop

The Environmental Protection Agency has released a "save-the-date" announcement to alert interested parties to a formaldehyde workshop it has provisionally scheduled April 29-30 in Crystal City, Va., and by webinar. The EPA's...



inepa.com

Inside EPA's **Risk Policy Report**, 02/25/2014

<http://insideepa.com/Risk-Policy-Report/Risk-Policy-Report-02/25/2014/menu-id-130.html>

As House Readies TSCA Bill, Debate On Chemical Prioritization Heats Up

As House lawmakers prepare to introduce legislation reforming the Toxic Substances Control Act (TSCA), policymakers and advocates are grappling with how to address the thorny issue of whether and how EPA should prioritize chemicals for testing and regulation -- an issue that until now has not been a top focus.

State Product Rules Drive Industry Fear On EPA's TSCA Power For 'Articles'

Manufacturers and other industry groups are increasingly concerned about growing state efforts to regulate consumer products containing toxic substances, a fear that is driving calls for Congress to address the issue by clarifying EPA's authority to regulate "articles" in pending legislation reforming the Toxic Substances Control Act (TSCA).

CHEMICALS:

After spill, majority of W.Va. residents call for more regs -- poll

Jason Plautz, E&E reporter

Published: Monday, February 24, 2014

A majority of West Virginians said the state has not done enough to protect air and water and they would back stronger regulations in the wake of last month's chemical spill into the Elk River, according to a new poll commissioned by the Sierra Club.

In the results released today, 66 percent of voters polled said they would like to see the West Virginia Department of Environmental Protection have stronger standards and enforcement. More surprising, 57 percent of those polled said they would also like to see U.S. EPA have stronger enforcement in the state.

The poll is the first to measure public opinion following the Jan. 9 spill of the coal-scrubbing chemical MCHM into the Elk River, which polluted the water supply for 300,000 residents across nine counties. Sierra Club Beyond Coal campaign director Mary Anne Hitt said it was clear the spill was a "real seminal moment and a wakeup call ... for taking a different approach to environmental regulations in the state."

"It doesn't matter whether you ask an independent, a Republican or a Democrat -- West Virginians want leaders who put our air, our health and our water before the coal industry's profits," Hitt said.

Seventy-three percent of those polled agreed with a statement that the spill showed the state had not paid enough attention to addressing environmental threats, with 69 percent saying another spill was likely to occur if more action was not taken.

Those findings crossed party lines and held across age groups and other demographic indicators, according to Hart Research Associates Vice President Jay Campbell, who conducted the poll.

"This spill really was a wakeup call and something of a gut punch for the state," Campbell said.

The results, he added, could portend political change. Sixty-two percent of those polled said they would back a candidate who favored strong regulations, including 79 percent of Democrats and 67 percent of independents. Among Republicans, 44 percent said they'd back a pro-regulation candidate and 47 percent said they would prefer a candidate who said regulations and enforcement would hurt state jobs.

Generally, those polled also put some blame for pollution on the coal industry, with 65 percent saying the industry held some responsibility for environmental harm. Forty percent said the coal industry had responsibility in the Elk River spill, which came from a Freedom Industries Inc. chemical plant but included a substance used in coal production.

Environmental advocates and politicians in the state have said the spill could be a game-changer for more environmental action and have said they're already seeing more public engagement and political will on the issue ([*Greenwire*](#), Feb. 13).

The poll surveyed 504 West Virginia voters between Feb. 4 and 7 and has a margin of error of 4.4 percent.

The company behind the spill, Freedom Industries, last week also detailed its plan to phase out its operations as it continues to clean up the Kanawha Valley site. In federal bankruptcy court, company officials said it would begin winding down operations at its facilities and help its 51 employees find new work.

The company faces millions of dollars in environmental cleanup costs and must remove all chemicals and begin dismantling the plant behind the spill by March 15. The company has declined to draw on \$3 million in credit and will sell the rest of its chemicals, officials said last week.

Freedom Industries filed for bankruptcy 10 days after the spill.

AGRICULTURE:

USDA extends comment period on

herbicide-resistant crops

Amanda Peterka, E&E reporter

Published: Monday, February 24, 2014

The Agriculture Department will give the public more time to comment on an environmental review of corn and soybean crops genetically engineered to resist the herbicide 2,4-D.

USDA's Animal and Plant Health Inspection Service plans to publish a *Federal Register* notice tomorrow that the public comment period on the review of Dow AgroSciences LLC's corn and soybean crops will be held open until March 11. The original comment period was scheduled to close at the end of today.

The 223-page draft environmental impact statement released in early January found no significant adverse impacts linked to the approval of the crops and recommended their introduction into the market (*E&ENews PM*, Jan. 3).

2,4-D is the third-most widely used herbicide in the United States and a onetime ingredient of Agent Orange. Dow is seeking approval of three petitions for corn and soybean crops resistant to the pesticide to help growers manage weeds that have become resistant to the herbicide glyphosate.

According to the federal docket, APHIS has so far received 6,832 comments, many of them from citizens who say they fear the introduction of the crops will increase the use of chemicals in agricultural production. The agency says it wants to "allow interested persons additional time to prepare and submit comments."

The Organic Farming Research Foundation sent out an alert today urging more consumers to provide comments to APHIS.

"Commercial-scale planting of these new genetically modified seeds will lead to an explosive increase in usage of this hazardous chemical," the foundation said.

In 2012, Dow agreed to labeling requirements, restrictions for using 2,4-D near sensitive crops and other concessions for the new GE corn and soybean crops in a deal with the Save Our Crops Coalition, which represents 2,000 farmers.

Dow says it is aiming to have the crops on the market in 2015.

FRANCE:

Organic winemaker faces jail for refusing to use pesticide

Published: Monday, February 24, 2014

A French winemaker is facing possible prison time after refusing to follow a government mandate to spray his vines with pesticide.

Emmanuel Giboulot, who runs an organic winery, is due before a judge in Dijon today after defying the order, intended to fight an insect invasion that spreads a devastating plant disease.

Giboulot is being prosecuted by a branch of France's agriculture ministry for "failing to apply an insecticide treatment to his vineyard" in July of last year.

France has required vineyards to use pesticides to fight the flavescence dorée disease, which it says could threaten as much as half of the country's vineyards in iconic Burgundy, a region that produces most of the nation's wine.

The mandate, however, conflicts with Giboulot's pledge to produce wine using only organic farming practices and his personal beliefs against pesticide use. His vineyard has used organic farming techniques since the 1970s, Giboulot said, when his father made the switch to more natural methods. Giboulot is one of about 450 winemakers to use "biodynamic" methods, based on ecological and spiritual approaches.

"I am not irresponsible, and I am not trying to be radical," Giboulot said. "I simply do not believe that systematic treatment, even without any symptoms of the disease, is the solution. I want to show people that there are options and that we need to think about our own health and that of our customers" (Kim Willsher, [London Guardian](#), Feb. 23). --
SP

Brought to you by the Office of General Counsel Law Library

Jennifer Turley, Law Librarian

ASRC Primus Contractor

U.s. Environmental Protection Agency

Office of General Counsel

202/564-3971

turley.jennifer@epa.gov

Tell us how we're doing - rate our customer service!

<http://www.surveymonkey.com/s/epalibsurvey>